

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

RAVSHAN NURITDINOV,  
Plaintiff,

Case No. 1:22-cv-443  
Hopkins, J.  
Litkovitz, M.J.

vs.

MEDA-CARE  
TRANSPORTATION, INC.,  
Defendant.

**REPORT AND  
RECOMMENDATION**


Pro se plaintiff Ravshan Nuritdinov brings this action alleging age discrimination under the Age Discrimination in Employment Act (ADEA), 29 U.S.C § 621 *et seq.*, against defendant Meda-Care Transportation, Inc. The District Judge adopted the undersigned's report and recommendation (Doc. 21) that defendant's motion to dismiss be granted. (Doc. 23). The District Judge also, however, granted plaintiff 21 days from the entry of his Order to file an amended complaint addressing the deficiencies identified in the undersigned's report and recommendation. (*Id.* at PAGEID 251 (citing Doc. 21 at PAGEID 229)). To date, more than 21 days from the entry of that Order, plaintiff has not filed an amended complaint.

A pro se litigant has an affirmative duty to diligently pursue the prosecution of his cause of action. *See Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991). District courts have the power to dismiss civil actions for want of prosecution to "manage their own affairs so as to achieve the orderly and expeditious disposition of cases." *Link v. Wabash R.R.*, 370 U.S. 626, 630-31 (1962). *See also Jourdan*, 951 F.2d at 109. Plaintiff's failure to file an amended complaint consistent with the Order of this Court warrants the termination of his case pursuant to Rule 41 of the Federal Rules of Civil Procedure. *See Jourdan*, 951 F.2d at 109-10.

**IT IS THEREFORE RECOMMENDED THAT:**

1. This matter be dismissed with prejudice based on plaintiff's failure to comply with the Court's order to file an amended complaint.
2. The Clerk enter judgment in favor of defendant and terminate this case.
3. The Court certify pursuant to 28 U.S.C. § 1915(a) that for the foregoing reasons an appeal of any Order adopting this Report and Recommendation would not be taken in good faith and therefore deny plaintiff leave to appeal *in forma pauperis*. Plaintiff remains free to apply to proceed *in forma pauperis* in the Court of Appeals. See *Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999), *overruling in part Floyd v. United States Postal Serv.*, 105 F.3d 274, 277 (6th Cir. 1997).

Date: 11/27/2023

  
Karen L. Litkovitz  
United States Magistrate Judge

**UNITED STATES DISTRICT  
COURT  
SOUTHERN DISTRICT OF OHIO  
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**NOTICE**

Pursuant to Fed. R. Civ. P. 72(b), WITHIN 14 DAYS after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections WITHIN 14 DAYS after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).